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June 2, 2023

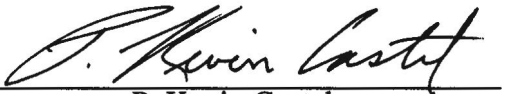
**FILED VIA ECF**

Honorable P. Kevin Castel, USDJ  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Mr. Foy need not attend the proceeding on June 7, 2023, at 10:30 a.m. so long as Mr. Fankbonner appears on behalf of Mr. Diawara.

SO ORDERED.

Dated: 06/05/2023

  
P. Kevin Castel  
United States District Judge

**Re: US v. Diawara**  
**Dkt. # 17 cr 422**  
**Application to be Relieved as Counsel**

Dear Judge Castel:

On May 26, 2023, I received a voice message from attorney Edgar Loy Fankbonner indicating that Mr. Alpha Diawara was in the process of retaining him in the above referenced violation of supervised release proceedings. On the same day, I spoke with the government (AUSA Adam Hobson) and confirmed that Mr. Fankbonner had reached out to them on behalf of Mr. Diawara. Yesterday, Mr. Fankbonner filed a notice of appearance. This afternoon I spoke with Mr. Fankbonner about the case history and provided him with a copy of the specifications setting forth the alleged violations of supervised release filed by the Department of Probation and related court documents.

This matter is presently scheduled for June 7, 2023 at 10:30am. I am requesting that the Court excuse my appearance and permit Mr. Fankbonner to appear on behalf of Mr. Diawara. The change of counsel will not cause any further delay in the VOSR proceedings because I had intended on requesting an adjournment of our June 7<sup>th</sup> appearance due to some developments related to the specifications set forth in the alleged violations filed by the Department of Probation in this case. Thank you for your thoughtful consideration.

Sincerely,

**FOY & SEPLOWITZ LLC**



**JASON E. FOY**

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cc: AUSA Adam Hobson  
Edgar Loy Fankbonner